

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, in the application:

**Listing of Claims:**

1. (currently amended) A method comprising:  
providing, in an optical network, an optical cross-connect system (OXC)  
having a working port and a spare port;  
providing a router having a working port to transmit or receive high priority data to or from the working port of the OXC and a protection port to transmit or receive low priority data to or from the spare port of the OXC;  
detecting a failure in the router;  
sending an out-of-band [[a]] signal from the router to the OXC, via an Internet Protocol address associated with the OXC, where the out-of-band signal indicates the failure of the router;  
causing the working port of the OXC to connect to the protection port of the router in response to detection of the out-of-band signal,  
where the transmission of low priority data to or from the router is preempted by the transmission of the high priority data to or from the router, in response to the failure of the router; and  
transmitting the high priority data from the router to the OXC via the protection port.
- 2-5. (canceled)

6. (currently amended) A method comprising:

providing, in an optical network, an optical cross-connect system (OXC) having a working port and a spare port;

providing a router having a working port to transmit or receive high priority data to or from the working port of the OXC and a protection port to transmit or receive low priority data to or from the spare port of the OXC;

receiving, ~~from the router, an out-of-band~~ [[a]] signal at the OXC, ~~via an Internet Protocol address associated with the OXC, from the router,~~ the out-of-band signal indicating a failure of ~~the~~ [[a]] working port ~~of~~ [[in]] the router;

connecting the protection port of the router to the working port of the OXC in response to receiving the out-of-band signal, where the transmission of low priority data to or from the router is preempted by the transmission of the high priority data to or from the router, in response to the failure of the working port of the router; and

transmitting the high priority data from the router to the OXC via the protection port.

7-10. (canceled)

11. (currently amended) An optical cross-connect system, located in an optical network, the optical cross-connect system comprising:

a spare port to transmit low priority data to or from a router that is external to the optical cross-connect system; and

a working port to transmit high priority data to or from a primary router that is external to the optical cross-connect system, where the working port is connected to the router in response to ~~a failure of the primary router, and where~~ receiving, from the primary router, an out-of-band signal indicating a failure of the primary router, via an Internet Protocol address associated with the optical cross-connect system, and where the transmission of low priority data to or from the router is to be preempted by the transmission of the high priority data to or from the router, in response to the failure of the primary router.

12-14. (canceled)

15. (currently amended) A communications network for transmitting data, the communications network comprising:

an optical cross-connect system (OXC) having a working port and a spare port, the OXC being located in an optical network; and

a router to receive ~~for receiving~~ the data from a terminal, the router comprising:

a working port to transmit or receive high priority data to or from the working port of the OXC; and

a protection port to transmit or receive low priority data to or from the spare port of the OXC, where

upon detection of a failure of the working port of the router, the router sends an out-of-band signal, indicating the failure, via an Internet Protocol address

associated with the OXC, and the input protection port of the router connects to the working port of the OXC, and the transmission of low priority data between the router and the OXC, via the protection port and the spare port, is preempted by the transmission of high priority data.

16. (currently amended) The communications network of claim 15, where the ~~router transmits a signal indicating the failure to the OXC, the~~ out-of-band signal is to cause ~~causing~~ the OXC to connect the input protection port ~~directly~~ to the working port of the OXC.

17-20. (canceled)